

Case Number: 1:17 - CV - 03704 (PKC) (PK)

| PROPOSED DISCOVERY PLAN   |   |                |                       |
|---|---|----------------|-----------------------|
|   | DONE  | NOT APPLICABLE | DATE                  |
| <b>A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE</b>   |   |                |                       |
| 1. Rule 26(f) Conference held   | X   |                | 12/29/17              |
| 2. Rule 26(a)(1) disclosures exchanged  | X   |                | 1/8/18                |
| 3. Requests made:   |   |                |                       |
| a. Medical records authorization  |   |                |                       |
| b. Section 160.50 releases for arrest records   |   |                |                       |
| c. Identification of John Doe/Jane Doe defendants   |   |                |                       |
| d. Proposed Stipulation of Confidentiality  | X   |                | So Ordered<br>5/17/18 |
| 4. Procedures for producing Electronically Stored Information (ESI) discussed                               |   |                |                       |
| <b>B. SETTLEMENT</b>  |   |                |                       |
| 1. Plaintiff to make settlement demand  | X   |                | 6/11/18               |
| 2. Defendant to make settlement offer   | X   |                | 7/9/18                |
| 3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date to be completed)     |   |                |                       |
| 4. Settlement Conference (proposed date)  |   |                |                       |
| <b>C. PROPOSED DEADLINES</b>  |   |                |                       |
| 1. Motion to join new parties or amend pleadings  | X   |                | 4/9/18                |
| 2. Initial documents requests and interrogatories *   | X   |                | served<br>2/8/18      |
| 3. All fact discovery to be completed (including disclosure of medical records)                             |   |                | 6/10/19               |
| 4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed |   |                | 6/10/19               |
| 5. Expert discovery (only if needed)  | Check here if not applicable <input type="checkbox"/> |                |                       |

\* Initial discovery responses are still being exchanged between the parties, including but not limited to discovery that is subject to the Court's directives at the 09/26/18 hearing.

Pl. served initial discovery requests on EWS 09/21/18; EWS served initial discovery requests on Pl. 10/22.

Rev. 9-14-18

|   |             |  |             |
|---|-------------|--|-------------|
| Plaintiff expert proposed field of expertise:   | 7/22/19     |  |             |
| Defendant expert proposed field of expertise:   | 7/22/19     |  |             |
|   | <b>DONE</b> | <b>NOT<br/>APPLICABLE</b>  | <b>DATE</b> |
| a. Case-in-chief expert report due  |             |  | 9/5/19      |
| b. Rebuttal expert report due   |             |  | 10/21/19    |
| c. Depositions of experts to be completed   |             |  | 12/5/19     |
| 6. Completion of ALL DISCOVERY  |             |  | 1/6/20      |
| 7. Joint status report certifying close of all discovery and indicating whether dispositive motion is anticipated |             |  | 1/6/20      |
| 8. If District Judge requires Pre-Motion Conference, date to make request   |             |  | 2/5/20      |
| 9. If District Judge does not require Pre-Motion Conference, date to submit briefing schedule                     |             |  |             |
| 10. Joint Pre-Trial Order due (if no dispositive motion filed)  |             |  | 3/23/20     |
| <b>D. CONSENT TO MAGISTRATE JUDGE JURISDICTION</b>  |             |  |             |
| 1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?                                   |             | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |             |
| 2. All parties consent to Magistrate Judge jurisdiction for trial?  |             | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No |             |
| <b>E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY</b>   |             |  |             |
| 1. Motion for collective action certification in FLSA cases   |             |  |             |
| a. Response due   |             |  |             |
| b. Reply due  |             |  |             |
| 2. Motion for Rule 23 class certification   |             |  |             |
| a. Response due   |             |  |             |
| b. Reply due  |             |  |             |

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

\_\_\_\_\_  
**PEGGY KUO**  
United States Magistrate Judge

\_\_\_\_\_  
Date